

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-17 are currently pending. Claims 1, 9 and 17 are independent.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-17 were rejected under 35 U.S.C. §103(a) as allegedly anticipated by U.S. Patent No. 5,841,740 to Fijita et al. (hereinafter, merely “Fijita”) in view of U.S. Patent No. 6,236,802 to Yamamoto. Applicant respectfully traverses these rejections.

Claim 1 recites, *inter alia*:

“A data recording/reproducing apparatus comprising:

recording/reproducing means for recording/reproducing material including video and/or audio data from a non-linearly accessible recording medium;

information file preparing means for preparing an information file relating to a first time position located forward with respect to an editing time period of the recording/reproducing material and a second time position located backward with respect to the editing time period” (emphases added)

As discussed in Applicant’s December 2, 2005 reply to the August 11, 2005 Office Action, Fijita discloses an apparatus for recording editing data using digital video servers to read out data from a hard disk array where the head starting position and the length of data being recorded is in terms of data blocks. Fijita lacks the “feel” of editing on video tape. Using non-

linearly accessible digital video servers of Fijita is awkward for a user accustomed to the linear editing using magnetic tape in a conventional VTR (VCR).

Yamamoto discloses an editing apparatus (1) that is “composed by connecting a playback side video cassette recorder (VCR) (5) and a recording side VCR (6) to a personal computer (3) in whose hard disk unit (2) is stored an editing program.” Col. 3, lines 20-23. Indeed, Yamamoto is directed to using a personal computer to edit linear magnetic tape on a VCR.

Yamamoto is a system that edits video tape, which is a linearly accessible medium, on a VCR using a personal computer. For editing purposes, a position prior to the in-point is predetermined. This is similar to the preroll and postroll common to tape editing. It is just this “feel” that the present invention achieves when doing editing on a non-linearly accessible recording medium.

Applicant contends that the Office Action unreasonably combines the Yamamoto reference to Fijita to achieve the present invention. Applicant recognizes that video tape editing involves setting a time prior to the editing material and a time after the editing material when editing on a linear recording medium such as magnetic tape. This is sometimes referred to as preroll and postroll timing.

Applicant asserts that his invention uses these concepts to achieve the “feel” of editing on a linear recording medium when actually editing on a non-linearly accessible recording medium.

It is the essence of hindsight to find all the elements in Applicant’s application and combine them using that application as a blueprint to achieve what the Applicant regards as his invention.

As a result, claim 1 recites, “recording/reproducing material including video and/or audio data from a non-linearly accessible recording medium . . . information file preparing means for preparing an information file relating to a first time position located forward with respect to an editing time period of the recording/reproducing material and a second time position located backward with respect to the editing time period.” Thus, a file is created that includes an entry to provide a time period prior to the edited data portion and a time period after the edited data portion. The first and second time positions are similar to the preroll and postroll commonly used when linear file editing is done with a conventional video tape recorder (VTR) but are applied to a non-linearly accessible recording medium.

An advantage of the present invention is that the first and second time entries provide a user with a feel that is different from that of Fijita. The present invention provides an apparatus that prepares file editing information from a non-linearly accessible recording media that seems to the user more like the linear editing of a conventional VTR than that of Fijita. That is, the editing processing using digital video servers of Fijita is awkward for a user accustomed to the linear editing using a conventional VTR. Page 40, line 12 to page 41, line 6.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 9 and 17 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed

to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1-17 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

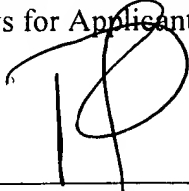
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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